

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**MICHELE SCHOLS**

**Plaintiff,**

**VS.**

**MICHELL KIMBALL**

**Defendant.**

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**Case No. 4:12cv146**

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

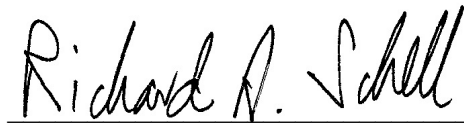
Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On April 27, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant and Third-Party Plaintiff Michell Anne Kimball's Motion for Remand (Dkt. 10) be GRANTED and this case be remanded to the 59<sup>th</sup> Judicial District Court of Grayson County, Texas for further proceedings.

The court has made a *de novo* review of the objections raised by Third-Party Defendant Hicks and Defendant as well as Third-Party Plaintiff's Kimball's Response and is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit as to the ultimate findings of the Magistrate Judge. The court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this court.

Therefore, Defendant and Third-Party Plaintiff Michell Anne Kimball's Motion for Remand (Dkt. 10) is GRANTED and this case shall be remanded to the 59<sup>th</sup> Judicial District Court of Grayson County, Texas for further proceedings.

**IT IS SO ORDERED.**

**SIGNED this the 7th day of September, 2012.**

A handwritten signature in black ink that reads "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath it.

RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE